

Senate File 2177

SENATE FILE _____
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2129)

Passed Senate, Date _____	Passed House, Date _____
Vote: Ayes _____ Nays _____	Vote: Ayes _____ Nays _____
Approved _____	

A BILL FOR

1 An Act relating to the possession and self-administration of
2 asthma or other airway constricting disease medication by
3 public and accredited nonpublic school students.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 SF 2177
6 kh/cc/26

PAG LIN

1 1 Section 1. NEW SECTION. 280.16 SELF-ADMINISTRATION OF
1 2 ASTHMA OR OTHER AIRWAY CONSTRICTING DISEASE MEDICATION.
1 3 1. DEFINITIONS. For purposes of this section:
1 4 a. "Medication" means a drug that meets the definition
1 5 provided in section 126.2, subsection 8, has an individual
1 6 prescription label, is prescribed by a physician for a
1 7 student, and pertains to the student's asthma or other airway
1 8 constricting disease.
1 9 b. "Physician" means a person licensed under chapter 148,
1 10 150, or 150A, or a physician's assistant, advanced registered
1 11 nurse practitioner, or other person licensed or registered to
1 12 distribute or dispense a prescription drug or device in the
1 13 course of professional practice in this state in accordance
1 14 with section 147.107, or a person licensed by another state in
1 15 a health field in which, under Iowa law, licensees in this
1 16 state may legally prescribe drugs.
1 17 c. "Self-administration" means a student's discretionary
1 18 use of medication prescribed by a physician for the student.
1 19 2. The board of directors of a school district and the
1 20 authorities in charge of an accredited nonpublic school shall
1 21 permit the self-administration of medication by a student with
1 22 asthma or other airway constricting disease if the following
1 23 conditions are met:
1 24 a. The student's parent or guardian provides to the school
1 25 written authorization for the self-administration of
1 26 medication.
1 27 b. The student's parent or guardian provides to the school
1 28 a written statement from the student's physician containing
1 29 the following information:
1 30 (1) The name and purpose of the medication.
1 31 (2) The prescribed dosage.
1 32 (3) The times at which or the special circumstances under
1 33 which the medication is to be administered.
1 34 c. The parent or guardian and the school meet the
1 35 requirements of subsection 3.
2 1 3. The school district or accredited nonpublic school
2 2 shall notify the parent or guardian of the student, in
2 3 writing, that the school district or accredited nonpublic
2 4 school and its employees are to incur no liability, except for
2 5 gross negligence, as a result of any injury arising from self=
2 6 administration of medication by the student. The parent or
2 7 guardian of the student shall sign a statement acknowledging
2 8 that the school district or nonpublic school is to incur no
2 9 liability, except for gross negligence, as a result of self=
2 10 administration of medication by the student. A school
2 11 district or accredited nonpublic school and its employees
2 12 acting reasonably and in good faith shall incur no liability
2 13 for any improper use of medication as defined in this section
2 14 or for supervising, monitoring, or interfering with a
2 15 student's self-administration of medication as defined in this
2 16 section.
2 17 4. The permission for self-administration of medication is
2 18 effective for the school year for which it is granted and
2 19 shall be renewed each subsequent school year upon fulfillment
2 20 of the requirements of this section. However, the parent or
2 21 guardian shall immediately notify the school of any changes in
2 22 the conditions listed under subsection 2.

2 23 5. Provided that the requirements of this section are
2 24 fulfilled, a student with asthma or other airway constricting
2 25 disease may possess and use the student's medication while in
2 26 school, at school=sponsored activities, under the supervision
2 27 of school personnel, and before or after normal school
2 28 activities, such as while in before=school or after=school
2 29 care on school=operated property. If the student misuses this
2 30 privilege, the privilege may be withdrawn.
2 31 6. Information provided to the school under subsection 2
2 32 shall be kept on file in the office of the school nurse or, in
2 33 the absence of a school nurse, the school's administrator.
2 34 7. The Iowa braille and sight saving school, the state
2 35 school for the deaf, and the institutions under the control of
3 1 the department of human services as provided in section 218.1
3 2 are exempt from the provisions of this section.
3 3 SF 2177
3 4 kh/cc/26